



Patent
Customer No. 22,852
Attorney Docket No. 04329.2733

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Riichiro TAKAHASHI et al.)
) Group Art Unit: 1756
Application No.: 10/075,619)
) Examiner: Kathleen DUDA
Filed: February 15, 2002)
)
For: METHOD FOR FORMING A)
PATTERN)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, KABUSHIKI KAISHA TOSHIBA, duly organized under the laws of Japan and having its principal place of business at 1-1 Shibaura 1-chome, Minato-Ku, Tokyo, Japan, through its attorneys, represents that it is the assignee of the entire right, title, and interest in and to the instant application, Application No. 10/075,619, filed February 15, 2002, for METHOD FOR FORMING A PATTERN in the names of Riichiro TAKAHASHI, Kei HAYASAKI, and Shinichi ITO, as indicated by executed assignment recorded on February 15, 2002, at Reel 012604, Frame 0538.

~~06/25/2004 AWONDAF1 00000080 10075619~~

~~01 FC:1251 110.00 OP~~

06/25/2004 AWONDAF1 00000133 10075619

01 FC:1814 110.00 OP

Assignee, KABUSHIKI KAISHA TOSHIBA, further represents, through its attorneys, that it is the assignee of the entire right, title, and interest in and to Application No. 10/026,419, filed December 26, 2001, for APPARATUS FOR PROCESSING SUBSTRATE AND METHOD OF PROCESSING THE SAME in the names of Kenji KAWANO, Shinchi ITO, Eishi SHIOBARA, Daisuke KAWAMURA, and Kei HAYASAKI, as indicated by assignment duly recorded in the U.S. Patent and Trademark Office at Reel 012413, Frame 0041, on February 28, 2002.

Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent granted on copending Application No. 10/026,419. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and copending Application No. 10/026,419 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent granted on copending Application No. 10/026,419, as presently shortened by any terminal disclaimer, in the event that the copending Application No. 10/026,419 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims

canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916.

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 23, 2004

By: 

Richard V. Burguljian
Reg. No. 31,744